



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

WARM SPRINGS RESOURCE AREA

35 East 500 North

P.O. Box 778

Fillmore, Utah 84631



IN REPLY REFER TO:

3800
(UT055)

CERTIFIED MAIL No. P 399 399 576
RETURN RECEIPT REQUESTED

RECEIVED

FEB 22 1993

February 19, 1993

H E DAVIS AND SONS INC
525 WEST ARROWHEAD TRAIL
SPANISH FORK UT 84660

DIVISION OF
OIL GAS & MINING

Dear Mr. Davis:

Thank you for your letter dated February 1, 1993, regarding mining related activities on your claims Buffer #1-#4, UMC Nos. 322401-322404. On December 11, 1992 we informed you, the surface disturbance we observed on the above mentioned claims was in noncompliance with the regulations contained in 43 CFR 3809.

In your letter, you stated mining related activities on these claims has been confined to annual assessment work. The Notice of Assessment posted on the claims declares assessment work consisted of moving earth material to find the depth of overburden and road repair. As Rody Cox of my staff explained to you during a telephone conversation on February 16, 1993, a notice or plan of operations is required whenever any surface disturbance exceeding casual use is proposed. Activity involving mechanized earth-moving equipment is in excess of casual use. Therefore, your annual assessment work needs to be authorized under a notice or plan of operations.

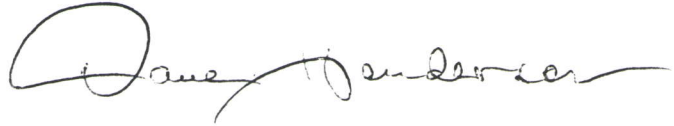
Since the total surface disturbance is less than five (5) acres, you may submit a notice. If you intend to exceed the five acre threshold, a plan of operations will need to be approved before the disturbance reaches five acres.

Enclosed is a form for filing a notice or plan of operations and a map of the disturbed area encompassed by your mining claims. The form is the same for either a notice or plan of operations, however additional information may be required prior to the approval of a plan of operations. Please complete the form in as much detail as possible. If you need extra space you may attach additional sheets. Please indicate on the map the location of your mining related activities.

Should you fail to submit a notice or plan of operations within thirty (30) days after you receive this letter, you will be issued a Notice of Noncompliance followed by appropriate remedial action.

If you have any questions regarding this matter, please feel free to contact Rody Cox or me at (801) 743-6811.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Henderson", with a large, stylized initial "D".

Dave Henderson
Area Manager

Enclosures:

1. Notice, plan of operations form
2. Map

cc: Michael Jackson, RDO
D. Wayne Hedberg, UDOGM
Jerry Reagan, Millard County Planning and Zoning
Byron A. Ray